

OFFICE OF THE CLERK

MARCI M. WALDRON

CLERK

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

TELEPHONE

215-597-2995

June 5, 2006

Peter T. Dalleo, Clerk  
United States District Court  
J. Caleb Boggs Federal Building  
Lockbox 18  
844 King Street  
Wilmington, DE 19801-3570

Re: Cousins v. Carroll, et al  
D. Del. No. 05-cv-212-JJF

Dear Mr. Dalleo:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached notice of appeal which was filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. **The notice was postmarked June 3, 2006 and should be docketed as of that date.**

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Bradford A. Baldus  
Bradford A. Baldus  
Senior Legal Advisor to the Clerk

Enclosure

cc: Daniel R. Cousins SBI# 425626 (w/out enclosure)

Daniel R. Cousins  
SBI# 425626  
Delaware Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977